

APPEAL NO. 031331
FILED JULY 14, 2003

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on April 17, 2003. The hearing officer resolved the disputed issues by deciding that the appellant (claimant) did not sustain a compensable injury on _____, and that he did not have disability. The claimant filed documentation with the Texas Workers' Compensation Commission on June 2, 2003. The respondent (carrier) filed a response, taking the position that the claimant's submission of documentation does not amount to an appeal, and that the hearing officer's decision should be affirmed.

DECISION

The above communication does not meet the minimum requirements of an appeal; the decision and order of the hearing officer are final. Section 410.169.

Section 410.202(c) provides that "[a] request for appeal . . . must clearly and concisely rebut . . . the decision of the hearing officer on each issue on which review is sought." The Appeals Panel in Texas Workers' Compensation Commission Appeal No. 951079, decided August 16, 1995, and Texas Workers' Compensation Commission Appeal No. 951478, decided October 17, 1995, found that appeals had not been made. Those two cases did at least indicate that the appellant sought to appeal, but the documentation submitted by the claimant in this case does not indicate any disagreement with the hearing officer's decision and order. *See also* Texas Workers' Compensation Commission Appeal No. 951911, decided December 19, 1995.

We have liberally interpreted Section 410.202(c) to allow a simple statement of disagreement with the hearing officer's decision to suffice as an appeal. However, in this case, the documentation filed by the claimant fails to state any disagreement or dispute with the hearing officer's decision and simply cannot be considered as a request for review under Section 410.202(c). Texas Workers' Compensation Commission Appeal No. 94973, decided September 1, 1994; Texas Workers' Compensation Commission Appeal No. 93998, decided December 14, 1993. To the contrary, in this instance, as in Appeal No. 951079, *supra*, the documentation filed by the claimant leaves us "with little more than speculation and conjecture as to what aspects of the decision, if any, are being appealed." That is, "[i]t neither articulates reasons for disagreement with the determinations of the hearing officer, nor does it distinguish the findings and conclusions as to which a review is sought." Appeal No. 951911, *supra*; *see also* Appeal No. 951478, *supra*. Accordingly, we find the claimant's submission insufficient to serve as an appeal. The jurisdiction of the Appeals Panel not having been properly invoked, the decision and order have become final under Section 410.169.

The true corporate name of the insurance carrier is **FREMONT INDUSTRIAL INDEMNITY COMPANY** and the name and address of its registered agent for service of process is

**CT CORPORATION SYSTEM
350 NORTH ST. PAUL STREET
DALLAS, TEXAS 75201.**

Veronica Lopez-Ruberto
Appeals Judge

CONCUR:

Thomas A. Knapp
Appeals Judge

Edward Vilano
Appeals Judge